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August 16, 1995

Via Federal Express

Mr. Bill Caton Secretary Federal Communications Commission 1919 M St. NW Room 222 Washington, DC 20554

Re: Petition for Rule Making to allocate Channel 256C2, Wasco, Oregon as an educational channel to the Table of Allotments.

Dear Mr. Caton:

Enclosed please find an original and four (4) copies of a Petition for Rule Making to allocate Channel 256C2 Wasco, Oregon as a Non-Commercial Educational Broadcast channel.

Additionally, we have enclosed an extra copy for date-stamping and return along with a self-addressed stamped envelope.

Should the Commission have any questions, kindly direct them to the undersigned, Rudy Dolinsky (509) 248-TALK(8255), or 1-800-44 ALIVE.

Sincerely

Rudy H. Dolinsky

Vice president for Technical Development

LifeTalk Broadcasting Association 402 E. Yakima Avenue Suite 1320 Yakima, WA 98901

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## Before the Federal Communications Commission Washington, D.C. 20554

| In the Matter of               | )  |  |
|--------------------------------|--|--|
| Amendment of Section 73.202(b) | )<br>) <b>RM</b> -                                     |  |
| Table of Allotments            | )  |  |
| FM Broadcast Stations          | ,<br>)   |  |
| (Wasco, Oregon)                | )  |  |
| To:                            | Chief, Allocations Branch<br>Policy and Rules Division |  |

## **Petition for Rule Making**

LifeTalk Broadcasting Association ("Petitioner"), pursuant to section 1.401 of the Commission's Rules and Regulations, hereby respectfully requests that the Table of Allotments contained in Section 73.202(b) of the Commission's Rules be amended as follows:

| Community     | Proposed Channel No. |
|---------------|----------------------|
| Wasco, Oregon | 256C2                |

In support of this request, the following is respectfully submitted:

- Wasco, Oregon is a town located in Sherman County approximately 130
   Miles East Southeast of Portland, Oregon. Wasco, Oregon is designated as
   an incorporated city in the 1990 U.S. Census. Accordingly, Wasco, Oregon
   represents a community within definition of Section 73.1120 of the
   Commission's Rules.
- 2. The proposed FM channel would provide the only local FM Educational broadcast service to Wasco, Oregon. Attached hereto is an Engineering

Report and study which demonstrates that the proposed assignment of Channel 256C2 will comply with the minimum mileage separation requirements of Section 73.207 and 73.215 of the Commission's Rules. The proposed assignment can be made without a sight restriction.

- 3. LifeTalk Broadcasting Association respectfully requests that channel 256C2 be designated as a non-commercial channel. As reflected in the attached Engineering Report, the proximity of KOIN-TV, channel 6 (licensed to Portland, Oregon) precludes the assignment of any full power reserve band non-commercial FM services to the Wasco, Oregon area. The spacing studies conducted for the attached Engineering Report Discloses the existence of at least six additional C2 or better open channels for commercial operation in the Wasco, Oregon area. Channel 256C2 can be assigned to Wasco, Oregon for use as a non-commercial FM station and be in full compliance with the Commission's Rules and Regulations.
- 4. LifeTalk Broadcasting Association is the non-commercial FCC licensee of KSOH (FM), Yakima, Washington. Should the Commission assign Channel 256C2 to Wasco, Oregon, the Petitioner will promptly submit an FCC form 340 application seeking to utilize the assignment. Upon a grant of its FCC Form 340 application, Petitioner will promptly build and operate a full service FM broadcast station at Wasco, Oregon. Should Petitioner's application become subject of one or more competing applications, Petitioner intends to prosecute its application to the fullest extent possible under the Commission's rules and policies.

Wherefore, based on the foregoing, Petitioner respectfully requests that the Commission issue a Notice of Proposed Rule Making pursuant to Section 1.407 of the Commission's Rules and Regulations seeking public comment on the modification to Section 73.202(b) requested herein.

Respectfully submitted,
LifeTalk Broadcasting Association

By:

Paul E Moore, president

LifeTalk Broadcasting Association 402 E. Yakima Avenue Suite 1320 Yakima, WA 98901 (509) 248-8255

